



**TOWN OF LARKSPUR
MINUTES OF THE
REGULAR COUNCIL MEETING
OCTOBER 15th, 2009**

MEETING CALLED TO ORDER: Mayor Sherilyn West called the meeting to order at 6:57 PM.

ROLL CALL:

PRESENT	ABSENT	NON-VOTING
Kristin Cutbirth	Mayor Pro-tem Stephen Smith	Town Attorney-Scotty Krob
Sheryl Jones	Lana Wagner	Town Clerk/Manager-
Eve Curry-Harbison		Matt Krimmer
Joseph Jeske		
Mayor Sherilyn West		

PLEDGE OF ALLEGIANCE: Recited.

UNSCHEDULED PUBLIC APPEARANCES: Lt. Kevin Duffy, Douglas County Sheriff briefly discussed recent burglaries in Town and offered to create a joint task force of community business owners and residents with Sheriff’s Department investigators. The Mayor and Town Manager will follow up.

Lester Burch expressed his opposition to the newly licensed medical marijuana clinic to be opened in Town.

AWARD PRESENTATION: Mayor West presented Tara Dexter, Monkey Face Candy and Ice Creamery, with a certificate of appreciation for her fundraising efforts in support of the Town’s Parks and Recreation Board which received \$772.40 to be used for park improvements. Tara’s mother and husband, Tim, were in attendance.

SCHEDULED PUBLIC APPEARANCES: John Montgomery presented his argument for not being held liable for repairs previously completed and still required for the meter pit in front of his liquor store at 8993 S. Spruce Mountain Road. Following Council questions and some discussion Mr. Montgomery offered to split the cost for previous and still required repairs to the meter pit to bring it in compliance with Town Ordinances. A bid for the remaining repairs will be solicited from Fischer Enterprises and Mayor West will resolve the matter with Mr. Montgomery.

Dave Palm requested a one year extension of Resolution 08-13 subdivision approval whereby a sum of \$16,140 was to be paid to the Town of Larkspur. After questioning Mr. Palm and some discussion regarding reasons for requesting the extension Council put the request to a vote.

Kristin Cutbirth made a motion to approve Resolution 09-06 for an extension of the subdivision approval up to and including February 1, 2010. Joseph Jeske seconded

the motion. A roll call vote was taken. Three (3) in favor, two (2) against (Sheryl Jones, Eve Curry-Harbison); motion carried.

OTHER ATTENDEES: Multiple-including Lorelei LaFortune, Mr. & Mrs. Charles Hickey, Gary Abel, Larry Horwitz

APPROVE MINUTES: October 1, 2009 regular meeting and October 12, 2009 special meeting

Kristin Cutbirth made a motion to approve minutes of the October 1, 2009 regular Council meeting. Sherilyn West seconded the motion. A roll call vote was taken. Four (4) in favor, zero (0) against, one (1) abstention (Joseph Jeske); motion carried.

Kristin Cutbirth made a motion to approve minutes of the October 12, 2009 special Council meeting. Joseph Jeske seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

FINANCIALS: Mayor West presented the financial statement and bills to be paid totaling \$89,250.99 which includes payoff of sewer loan to CAPMARK Finance in the amount of \$39,595.00. A discussion regarding Town Engineer, Town Planner, and Town Attorney invoices for work on Bear View annexation and brought into question by Ian Steyn was held. Sheryl Jones asked that the latest invoices received from Fischer Enterprises be provided to the Council for review. They were not included in packet since they were received by Town Staff at 3:30 PM on this date, October 15. A brief discussion regarding the Fischer invoices, totaling \$31,384.21, was held.

Sheryl Jones made a motion to approve payment of bills totaling \$120,635.20 subject to modification for the Town Engineer, Town Planner, and Town Attorney if appropriate after review, and which includes \$39,595.00 to pay off sewer loan and \$31,384.21 to Fischer Enterprises. Joseph Jeske seconded the motion. A roll call vote was taken. Four (4) in favor, one (1) against (Eve Curry-Harbison); motion carried.

SEMOCOR MONTHLY REPORT: All systems are operating satisfactorily and no issues or problems other than the water main break have surfaced.

NEWSLETTER: Mayor West presented the draft newsletter for November and noted that Park progress information and pictures would be added just before distribution to provide the latest updated information. Information regarding the Tree Lighting, scheduled for December 5, 2009 will also be added.

ADVISORY BOARD REPORTS:

Parks and Recreation Board – Trail engineering is still being worked on by the Town Manager. Updates on Town Park were previously discussed.

Planning Commission – Planning Commission public hearing to complete recommendation to Council on the Bear View minor plat was held on Monday October 12, at which they recommended disapproval of the minor plat subdivision by a vote of Three (3) in favor, one (1) against.

CONTINUING BUSINESS:

2010 Budget – Mayor West presented Council with a draft 2010 Budget requesting Council review and provide feedback.

Eve Curry-Harbison made a motion to set a public hearing to receive public testimony on the 2010 budget for Thursday, November 19 at 6 PM. Sheryl Jones seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

Road maintenance and snowplowing contract – Mayor West provided Council with a copy of a contract presented to Fischer Enterprises today for his concurrence and approval.

CDOT Wastewater Agreement revision – No response received from CDOT to date.

Medical Marijuana – Following discussion on the issue and alternatives which can be considered for controlling and regulating medical marijuana businesses Mayor West and Council directed Scotty Krob to prepare optional Ordinances for the Council to consider at the next meeting.

Open space zoning – Scotty Krob will be working on and open space zoning Ordinance for the Town.

Mountain States Employers Council (MSEC) membership – Mayor West recommended renewal of the contract with MSEC for one more year and request the CML small town discount and included funding in the 2010 budget. Council agreed.

NEW BUSINESS:

Cleaning Town Hall – Mayor West presented a proposal for Town Hall cleaning from Susanna Worsley on a biweekly basis at \$20 per hour with the first cleaning to take approximately four hours and subsequent cleanings approximately two hours.

A motion to hire Susanna Worsley on a biweekly basis at \$20 per hour to clean the Town Hall was made by Kristin Cutbirth. Joseph Jeske seconded the motion. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

LES Fall Festival – Matt presented a request from the Larkspur Elementary School PTO for the Town to donate to their Fall Festival scheduled for October 31, 2009.

A motion to donate \$150 to the Larkspur Elementary School PTO for their annual Fall Festival was made by Joseph Jeske and seconded by Sheryl Jones. A roll call vote was taken. Five (5) in favor, zero (0) against; motion carried.

MANAGER’S REPORT: None.

MAYOR’S COMMENTS: None.

COUNCIL COMMENTS: Scotty Krob reviewed the wording to be sent to Jack

Reutzel regarding the Council's requested information from an appraiser on the Bear View campground. Council agreed on requesting an appraisal as is today and an appraisal based on the campground being annexed and zoned with uses by right and uses by special review if approved.

ADJOURN: Sheryl Jones made a motion to adjourn the Council meeting. Joseph Jeske seconded the motion. Motion carried by unanimous voice vote, five (5) in favor, zero (0) against.

Mayor West adjourned the Council meeting at 8:56 PM.

Respectfully submitted,

Matt Krimmer
Town Clerk/Manager